

Michael R. Johnson (7070)  
David H. Leigh (9433)  
Elaine A. Monson (5523)  
Brent D. Wride (5163)  
**RAY QUINNEY & NEBEKER P.C.**  
36 South State Street, 14<sup>th</sup> Floor  
Salt Lake City, UT 84111  
(801) 532-1500  
mjohnson@rqn.com  
dleigh@rqn.com  
emonson@rqn.com  
bwride@rqn.com

*Proposed Counsel for the Debtor in Possession*

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

In re:

**THE FALLS EVENT CENTER LLC**, a  
Utah limited liability company,

Address: 9067 S 1300 W, #301  
West Jordan, UT 84088,

Tax I.D. No. 90-1023989,

Debtor in Possession.

Bankruptcy Case No. 18-25116

Chapter 11

Honorable R. Kimball Mosier

[Filed Electronically]

**DEBTOR'S MOTION TO EXTEND THE DEADLINE  
TO FILE STATEMENTS AND SCHEDULES**

Pursuant to 11 U.S.C. § 105, Federal Rule of Bankruptcy Procedure 1007(a)(5), and  
Local Rule 1007-1, The Falls Event Center, LLC, which is the Chapter 11 debtor-in-possession  
(the “**Debtor**”), hereby moves this Court for entry of an Order, in the form submitted herewith,

extending the deadline for the Debtor to file its Schedules, Statements, and Other Documents (collectively, the “**Statements and Schedules**”) required by Federal Rule of Bankruptcy Procedure 1007(b), such that the Statements and Schedules shall be due by no later than Friday, August 10, 2018.

In support of this Motion, the Debtor represents as follows:

### **JURISDICTION AND VENUE**

1. This Court has jurisdiction to consider this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b).
2. Venue is proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409.
3. The statutory predicates for this Motion are 11 U.S.C. § 105, Federal Rule of Bankruptcy Procedure 1007(a)(5), and Local Rule 1007-1.

### **BACKGROUND**

4. The Debtor commenced this case on July 11, 2018 (the “**Petition Date**”), by filing a voluntary petition for relief under Chapter 11 of Title 11 of the United States Code (the “**Bankruptcy Code**”) with this Court.
5. Between the Petition Date and the current date the Debtor has continued to operate as a debtor-in-possession pursuant to §§ 1107(a) and 1108 of the Bankruptcy Code.
6. The official mailing matrix in this case exceeds 330 creditors and other parties in interest.
7. The United States Trustee has currently scheduled the Section 341 meeting of creditors for the Debtor’s case for Monday, August 20, 2018.

8. Pursuant to Federal Rule of Bankruptcy Procedure 1007(c), Statements and Schedules are due to be filed with the Court within fourteen (14) days of the Petition Date, or on or before July 25, 2018.

9. The current Manager of the Debtor is Brooks Pickering, and he is the person responsible for preparing and signing the Statements and Schedules for the Debtor. However, Mr. Pickering only recently became involved with the Debtor's business when he was retained as a consultant to assist the Debtor with some financial problems. Furthermore, it was only a few weeks ago that Mr. Pickering was installed as the sole Manager of the Debtor and the powers granted to its then Managers, Steve Down and David Down, to act in any capacity on behalf of the Debtor were terminated.

10. In addition, the Debtor is affiliated with numerous other business entities (LLC's) that are either operating event centers in Utah or other states or they own properties upon which events centers were to be constructed. Two of these entities, The Falls at Elk Grove and The Falls at Gilbert have already filed bankruptcy petitions in this Court and Mr. Pickering is in the process of determining what other entities might need to be placed into bankruptcy so that the consolidated Falls entities can be reorganized in the best and most efficient way possible.

11. Because of the short time that Mr. Pickering has been involved with The Falls entities, and a number of pressing issues with which he has had to resolve due to the Debtor's bankruptcy filing, he is still in the process acquiring information about the Debtor and its affiliated entities. Mr. Pickering is also in the process of retaining a forensic accountant to assist him in this case and reviewing the Debtor's books and records. Furthermore, as set forth above

there is a large mailing matrix and numerous creditors with whom Mr. Pickering has been communicating.

12. Moreover, Mr. Pickering may be seeking substantive consolidation of the separate Falls entities.

13. The Debtor believes it can have Statements and Schedules prepared and filed by Friday, August 10, 2018, or ten (10) days prior to the scheduled 341 meeting of creditors for the Debtor.

**RELIEF REQUESTED**

14. Based upon the foregoing, the Debtor has determined it needs additional time in order to file its Statements and Schedules.

15. The Debtor has consulted with the Office of the United States Trustee (the “UST”) regarding the foregoing matter. The UST has requested that the Debtor provide information to the UST informally as quickly as possible, but it is the Debtor’s understanding that the UST has no objection to the Debtor’s current Motion.

16. As noted above, Federal Rule of Bankruptcy Procedure 1007(c) generally requires that the Statements and Schedules be filed within fourteen (14) days after the Petition Date, or on or before July 25, 2018. Federal Rule of Bankruptcy Procedure 1007(c) also provides, however, that the Court can extend the deadline to file the Statements and Schedules, “for cause shown and on notice to the United States trustee, any committee elected under § 705 or appointed under § 1102 of the Code, trustee, examiner, or other party as the court may direct.”

17. The Debtor has proposed that it file its consolidated Statements and Schedules by no later than Friday, August 10, 2018, or ten (10) days prior to the scheduled 341 meeting of creditors for the Debtor.

18. The Debtor believes good cause exists for granting the relief requested in this Motion, as set forth more fully herein. Further, as noted above, the Debtor understands that the UST has no objection to the relief requested in this Motion. Finally, no committee or examiner has been appointed in this case.

WHEREFORE, based upon the foregoing, the Debtor respectfully requests that this Court enter an Order extending the deadline for the Debtor to file its Statements and Schedules, such that the Statements and Schedules will be considered timely filed if they are filed by the Debtor by no later than Friday, August 10, 2018.

DATED this 25th day of July, 2018.

RAY QUINNEY & NEBEKER P.C.

/s/ Brent D. Wride  
Brent D. Wride  
*Proposed General Bankruptcy and Litigation  
Counsel for the Debtor in Possession*

1460307

**CERTIFICATE OF SERVICE**

I hereby certify that July 25, 2018 a true and correct copy of the foregoing **DEBTORS' MOTION TO EXTEND THE DEADLINE TO FILE STATEMENTS AND SCHEDULES** was electronically filed and therefore served via ECF on all parties that have entered an electronic appearance in this case.

In addition, a copy of the foregoing notice was sent by **electronic mail** on July 25, 2018, to:

The U.S. Trustee  
Laurie Cayton, [Laurie.Cayton@usdoj.gov](mailto:Laurie.Cayton@usdoj.gov).

/s/ Patricia Brown

1460307